

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNIGARD INSURANCE COMPANY, a
foreign insurer,

Plaintiff,

vs.

LIBERTY MUTUAL INSURANCE
COMPANY, a foreign insurer,

Defendant.

No. 2:18-cv-291

**STIPULATED NOTICE OF
VOLUNTARY DISMISSAL WITHOUT
PREJUDICE OR COSTS UNDER
F.R.C.P 41(a)(1)(A)(ii)**

CLERK'S ACTION REQUIRED

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Unigard Insurance Company (hereinafter "Unigard") and Defendant Liberty Mutual Insurance Company (hereinafter "Wasau") hereby jointly voluntarily dismiss this case without prejudice or costs to either party.

In relevant part, Federal Rule of Civil Procedure 41(a)(1) provides as follows:

(a) Voluntary Dismissal.

(1) *By the Plaintiff.*

1 **(A) Without a Court Order.** Subject to Rules 23(e), 23.1(c), 23.2, and 66
2 and any applicable federal statute, the plaintiff may dismiss an action
3 without a court order by filing:

4 **(i)** a notice of dismissal before the opposing party serves either an
5 answer or a motion for summary judgment; or

6 **(ii)** a stipulation of dismissal signed by all parties who have
7 appeared.

8 Fed. R. Civ. P. 41(a).

9 DATED this 10th day of May, 2018.

10 LETHER & ASSOCIATES, PLLC

BULLIVANT HOUSER BAILEY PC

11 /s/ Thomas Lether

/s/Michael Guadagno

12 Thomas Lether, WSBA #18089

Michael A. Guadagno, WSBA #34633

13 /s/ Eric Neal

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Eric J. Neal, WSBA #31863

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Counsel for Unigard Insurance Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies under the penalty of perjury under the laws of the State of Washington that on this date I caused to be served in the manner noted below a true and correct copy of the foregoing on the party mentioned below as indicated:

Michael A. Guadagno, WSBA #34633
E-mail: michael.guadagno@bullivant.com
Attorney for Liberty Mutual Insurance Company

Via: ☒ **ECF** ☐ **E-mail** ☐ **Via U.S Mail**

Dated this 10th day of May, 2018, at Seattle, Washington.

/s/ Andrei Teretchenko

Andrei Teretchenko | Paralegal